UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/649,270	08/28/2000	Lawrence A. Crowl	SUN1P380/P4501	6759

22434	7590	11/17/2004	EXAMINER

BEYER WEAVER & THOMAS LLP
P.O. BOX 778
BERKELEY, CA 94704-0778

EXAMINER
VU, TUAN A

ART UNIT	PAPER NUMBER
2124	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Advisory Action	09/649,270	CROWL ET AL.
	Examiner	**Art Unit**	
	Tuan A Vu	2124	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 October 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

    (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: *1,4-10,12-16 and 19-22*.

    Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: Applicants have submitted that Examiner has equated program symbols to tokens and non-programs symbols to vocabulary words. Examiner likes to clarify that the non-programs symbols are pointer information such as tag, pointer reference being stored in step 222 of Fig. 8 of Unger and would refer applicants back to the Office action where all this has been presented. Applicants' point on Unger's not teaching base symbol and reduced-size format should be assessed in the context combining Ainon and Storer to Under whose suggestion as to use differential encoding has been set forth in the rejection referring Unger. The use of a base and appending thereto some form of reduced size encoding is provided by the Ainon's vocabulary group of base symbols and Storer's substituting a difference w/ pointer representation. Both of these limitations are suggested in the known techniques seen in Run-Lenghth or Lempel-Ziv, Huffman shown by Unger's as established in the Off. Action. Compacting pointer representation in Storer is reminiscent of producing a compressed package with stored pointer information as suggested in Fig. 8 by Unger. In all, what Unger does not explicitly disclose can be reconstructed via an obviousness rationale combining the base symbol by Ainon and the differential encoding by Storer, because Unger clearly suggests the reduction of size using the above techniques; and it does not require much undue investigation or research for one ordinary skill in the art to establish the close relation b/w a base symbol and a differential part being appended to such base in order to cut down on the overall original program symbols as disclosed by Unger in view of those known techniques. Hence, the arguments by Applicants founded on the wrong understanding of Examiner's matching of program symbol or non-program symbols to the reference has not been convincing; therefore do not amount to persuading the Examiner to reconsider the merits of the Off. Action. The claims as of now are not deemed allowable because the techniques for compressing as claimed reflect variances in prior art; and the fact that symbols being compressed come from programming languages are only at best an obvious intended use..

KAKALI CHAKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100